

# Notice of Allowability

Application No.

10/625,666

Examiner

Joon H. Hwang

Applicant(s)

DEGUCHI ET AL.

Art Unit

2166

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview with Surinder Sachar (Reg. No. 34,423) on 11/9/2006.
2. ☒ The allowed claim(s) is/are 45-86 and 94-105 (renumbered as 1-54).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/695,636.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20061109</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>8/11/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                  | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. The applicants requested for reconsideration in the amendment received on 8/23/06.

The pending claims are 43-105.

### ***Response to Amendment***

2. The declaration under 37 CFR 1.132 filed 8/23/06 is sufficient to overcome the rejection of claims 43, 45, 47-51, 53, 59-62, 65-81, 83-86, 91-93, and 96-105 based upon 35 U.S.C. 102 and claims 44, 46, 52, 54, 57-58, 63-64, 82, 87-90, and 94-95 based upon 35 U.S.C. 103.

### ***Terminal Disclaimer***

3. The terminal disclaimer filed on 8/23/06 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,578,047 B1 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Art Unit: 2166

5. Authorization for this examiner's amendment was given in a telephone interview with Surinder Sachar (Reg. No. 34,423) on 11/9/2006.

6. The application has been amended as follows:

Cancel claims 43-44;

Rewrite claim 45 as follows:

"45. A record medium including a control program causing an inputting unit having a counter to perform the steps of:

providing a count value from the counter based on a predetermined clock signal;

storing the count value when a user performs a storing operation during a broadcast;

communicating the count value stored at the storing the count value step to an external unit;

obtaining time information indicating when the user storing operation occurred during the broadcast from the communicated count value at the external unit;

inputting the obtained time information to a searching unit,

wherein the searching unit searches a database including information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information; and

providing search results to the user.”;

Rewrite claim 47 as follows:

“47. An inputting unit comprising:

a counter configured to provide a count value based on a predetermined clock signal;

a storage unit configured to store the count value of said counter when a user performs a storing operation during a broadcast;

a connecting portion configured to connect the inputting unit to an external unit; and

a communicating unit configured to communicate the count value stored in said storage unit to the external unit through said connecting portion,

wherein the external unit obtains time information indicating when the user storing operation occurred during the broadcast from the communicated count value, inputs the obtained time information to a searching unit, the searching unit searching a database including broadcast information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information, and provides search results to the user.”;

Rewrite claim 48 as follows:

“48. The inputting unit as set forth in claim 47, wherein the broadcast contents include information identifying contents.”;

Rewrite claim 49 as follows:

"49. The inputting unit as set forth in claim 47, wherein the user storing operation during the broadcast occurs when the user determines the broadcast includes desired contents.";

Rewrite claim 52 as follows:

"52. The inputting unit as set forth in claim 47, wherein the external unit is an information terminal unit installed as a public unit.";

Rewrite claim 53 as follows:

"53. An inputting unit comprising:

a counter configured to provide a count value based on a predetermined clock signal;

storing means for storing the count value of said counter when a user performs a storing operation during a broadcast;

displaying means for displaying the count value stored in said storing means; and

communicating means for communicating the count value stored in said storing means to an external unit,

wherein the external unit obtains time information indicating when the user storing operation occurred during the broadcast from the communicated count

value, inputs the obtained time information to a searching unit, the searching unit searching a database including broadcast information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information, and provides search results to the user.”;

Rewrite claim 55 as follows:

“55. The inputting unit as set forth in claim 54, wherein when the count value is communicated by said communicating means, a number of spherical members gradually decreases on one side of said displaying means, and

wherein when part of the spherical members disappear, remaining ones of the spherical members move to positions at which the part of the spherical members disappear from.”;

Rewrite claim 56 as follows:

“56. The inputting unit as set forth in claim 53, wherein said displaying means is formed in an almost square shape, and

wherein members representing the count value are arranged in a lattice shape irrespective of a storing order of entries of the count value stored in said storing means.”;

Rewrite claim 59 as follows:

Art Unit: 2166

"59. The inputting unit as set forth in claim 53, wherein the user storing operation during the broadcast occurs when the user determines the broadcast includes desired contents.";

Rewrite claim 60 as follows:

"60. The inputting unit as set forth in claim 53, wherein said communicating means communicates the count value to the external unit configured as an information terminal unit installed as a public unit.";

Rewrite claim 61 as follows:

"61. The inputting unit as set forth in claim 53, wherein the broadcast contents include information identifying contents.";

Rewrite claim 62 as follows:

"62. An inputting unit comprising:

a counter configured to provide a count value based on a predetermined clock signal;

storing means for storing the count value of said counter when a user performs a storing operation during a broadcast;

communicating means for communicating the count value stored in said storing means to an external unit; and

sound generating means for generating a sound corresponding to the count value stored in said storing means,

wherein the external unit obtains time information indicating when the user storing operation occurred during the broadcast from the communicated count value, inputs the obtained time information to a searching unit, the searching unit searching a database including broadcast information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information, and provides search results to the user.”;

Rewrite claim 63 as follows:

“63. The inputting unit as set forth in claim 62, wherein said sound generating means generates a sound corresponding to the user storing operation when the count value stored in said storing means exceeds a predetermined value.”;

Rewrite claim 64 as follows:

“64. The inputting unit as set forth in claim 62, wherein said sound generating means generates a sound when the count value stored in said storing means exceeds a predetermined value and the user storing operation is performed.”;

Rewrite claim 65 as follows:

Art Unit: 2166

"65. The inputting unit as set forth in claim 62, wherein the user storing operation during the broadcast occurs when the user determines the broadcast includes desired contents.";

Rewrite claim 66 as follows:

"66. The inputting unit as set forth in claim 62, wherein said communicating means communicates the count value to the external unit configured as an information terminal unit installed as a public unit.";

Rewrite claim 67 as follows:

"67. The inputting unit as set forth in claim 62, wherein the broadcast contents include information identifying contents.";

Rewrite claim 68 as follows:

"68. An inputting unit for inputting information representing time, comprising:

    a counter configured to provide a count value based on a predetermined clock signal;

    first storing means for storing the count value of said counter when a user performs a storing operation during a broadcast;

    identification information generating means for generating predetermined content identification information corresponding to the user storing operation;

second storing means for storing the predetermined content identification information generated by said identification information generating means; and communicating means for communicating the count value stored in said first storing means and the predetermined content identification information stored in said second storing means to an external unit,

wherein the external unit obtains time information indicating when the user storing operation occurred during the broadcast from the communicated count value, inputs the obtained time information and the predetermined content identification information to a searching unit, the searching unit searching a database including broadcast information indicating broadcast contents and an associated time of broadcast using at least the obtained time information, and provides search results to the user.”;

Rewrite claim 69 as follows:

“69. The inputting unit as set forth in claim 68, wherein said first storing means and said second storing means store the count value and the predetermined content identification information to a common memory disposed in the inputting unit.”;

Rewrite claim 70 as follows:

“70. The inputting unit as set forth in claim 68, wherein said first storing means and said second storing means store the count value and the predetermined

content identification information to discrete memories disposed in the inputting unit.”;

Rewrite claim 71 as follows:

“71. The inputting unit as set forth in claim 68, further comprising:

at least one button,

wherein said identification information generating means includes means for detecting different manners the user pressing the at least one button and for generating different content identification information corresponding to the different manners the user pressing the at least one button.”;

Rewrite claim 72 as follows:

“72. The inputting unit as set forth in claim 68, further comprising:

displaying means for displaying the count value stored in said first storing means, wherein said displaying means displays the count value in a different manner that varies corresponding to the predetermined content identification information.”;

Rewrite claim 73 as follows:

“73. The inputting unit as set forth in claim 68, wherein the user storing operation during the broadcast occurs when the user determines the broadcast includes desired broadcast contents.”;

Rewrite claim 74 as follows:

"74. The inputting unit as set forth in claim 68, wherein said communicating means communicates the count value to the external unit configured as an information terminal unit installed as a public unit.";

Rewrite claim 75 as follows:

"75. The inputting unit as set forth in claim 68, wherein the predetermined content identification information identifies whether contents are television broadcast contents or radio broadcast contents.";

Rewrite claim 76 as follows:

"76. The inputting unit as set forth in claim 68, wherein the predetermined content identification information identifies whether contents were broadcasted in a predetermined area or out of the predetermined area.";

Rewrite claim 77 as follows:

"77. The inputting unit as set forth in claim 68, wherein the broadcast contents include information identifying contents.";

Rewrite claim 78 as follows:

"78. An inputting unit comprising:

a counter configured to provide a count value based on a predetermined clock signal;

first storing means for storing the count value of said counter when a user performs a storing operation during a broadcast;

communicating means for communicating with an external unit and communicating the count value stored in said first storing means to the external unit; and

second storing means for storing data transmitted from the external unit through said communicating means,

wherein the external unit obtains time information indicating when the user storing operation occurred during the broadcast from the communicated count value, inputs the obtained time information to a searching unit, the searching unit searching a database including broadcast information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information, and provides search results to the user.”;

Rewrite claim 79 as follows:

“79. The inputting unit as set forth in claim 78, wherein the broadcast contents include information identifying contents.”;

Rewrite claim 85 as follows:

Art Unit: 2166

"85. The inputting unit as set forth in claim 78, wherein the user storing operation during the broadcast occurs when the user determines the broadcast includes desired broadcast contents.";

Rewrite claim 86 as follows:

"86. The inputting unit as set forth in claim 78, wherein said communicating means communicates the count value to the external unit configured as an information terminal unit installed as a public unit.";

Cancel claims 87-93;

Rewrite claim 94 as follows:

"94. An inputting unit comprising:

    a counter configured to provide a count value based on a predetermined clock signal;

    storing means for storing the count value of said counter when a user performs a storing operation during a broadcast;

    sound generating means for generating a predetermined sound when the count value is stored to said storing means corresponding to the storing operation performed by the user; and

    communicating means for communicating the count value stored in said storing means to an external unit,

wherein the external unit obtains time information indicating when the user storing operation occurred during the broadcast from the communicated count value, inputs the obtained time information to a searching unit, the searching unit searching a database including broadcast information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information, and provides search results to the user.”;

Rewrite claim 95 as follows:

“95. The inputting unit as set forth in claim 94, wherein the broadcast information includes information about contents.”;

Rewrite claim 96 as follows:

“96. An inputting method for an inputting unit having a counter, the method comprising the steps of:

- providing a count value from the counter based on a predetermined clock signal;

- storing the count value when a user performs a storing operation during a broadcast;

- directly connecting the inputting unit to an external unit;

- communicating the count value stored at the storing the count value step to the external unit connected at the connecting step;

Art Unit: 2166

obtaining time information indicating when the user storing operation occurred during the broadcast from the communicated count value at the external unit;

inputting the obtained time information to a searching unit through the external unit,

wherein the searching unit searches a database including information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information; and

providing search results to the user.”;

Rewrite claim 97 as follows:

“97. The inputting method as set forth in claim 96, wherein the broadcast contents include information identifying contents.”;

Rewrite claim 98 as follows:

“98. An inputting method for an inputting unit having a counter, the method comprising the steps of:

providing a count value from the counter based on a predetermined clock signal;

storing the count value when a user performs a storing operation during a broadcast;

displaying the count value stored at the storing the count value step;

communicating the count value stored at the storing the count value step to an external unit;

obtaining time information from the communicated count value, wherein the time information indicating when the user storing operation occurred during the broadcast is obtained at the external unit and then inputted to a searching unit, the searching unit searching a database including information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information; and

providing search results to the user.”;

Rewrite claim 99 as follows:

“99. The inputting method as set forth in claim 98, wherein the broadcast contents include information identifying contents.”;

Rewrite claim 100 as follows:

“100. An inputting method for an inputting unit having a counter, the method comprising the steps of:

providing a count value from the counter based on a predetermined clock signal;

storing the count value when a user performs a storing operation during a broadcast;

communicating the count value stored in the storing the count value step to an external unit;

generating a sound corresponding to the count value stored in the storing the count value step,

wherein time information indicating when the user storing operation occurred during the broadcast is obtained from the communicated count value at the external unit and then inputted to a searching unit, the searching unit searching a database including information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information; and providing search results to the user.”;

Rewrite claim 101 as follows:

“101. The inputting method as set forth in claim 100, wherein the broadcast contents include information identifying contents.”;

Rewrite claim 102 as follows:

“102. An inputting method for an inputting unit having a counter, the method comprising the steps of:

providing a count value from the counter based on a predetermined clock signal;

storing the count value when a user performs a storing operation during a broadcast;

generating predetermined identification information corresponding to the storing operation during the broadcast;

storing the predetermined identification information generated in the generating predetermined identification information step;

communicating the count value and the predetermined identification information stored when the user performed the storing operation during the broadcast to an external unit,

wherein time of day information indicating when the user storing operation occurred during the broadcast is obtained from the communicated count value at the external unit and then inputted to a searching unit, the searching unit searching a database including information indicating broadcast contents and an associated time of day of broadcasting using at least the obtained time of day information; and

providing search results to the user.”;

Rewrite claim 103 as follows:

“103. The inputting method as set forth in claim 102, wherein the broadcast contents include information identifying contents.”;

Rewrite claim 104 as follows:

“104. An inputting method for an inputting unit having a counter, the method comprising the steps of:

providing a count value from the counter based on a predetermined clock signal;

storing the count value when a user performs a storing operation during a broadcast;

communicating the count value stored when the user performed the storing operation during the broadcast to an external unit;

storing data transmitted from the external unit during the communicating step,

wherein time of day information indicating when the user storing operation occurred during the broadcast is obtained from the communicated count value at the external unit and then inputted to a searching unit, the searching unit searching a database including information indicating broadcast contents and an associated time of day of broadcasting using at least the obtained time of day information; and

providing search results to the user.”; and

Rewrite claim 105 as follows:

“105. The inputting method as set forth in claim 104, wherein the broadcast contents include information identifying contents.”.

7. The pending claims are 45-86 and 94-105.

***Allowable Subject Matter***

8. Claims 45-86 and 94-105 are allowed.

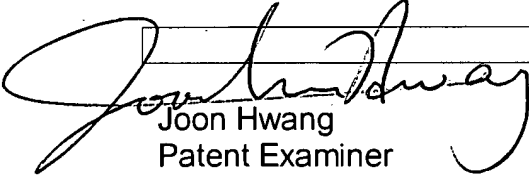
Claims 45, 47, 53, 62, 68, 78, 94, 96, 98, 100, 102, and 104 identify the distinct features, a count value provided from the counter based on a predetermined clock signal; storing the count value when a user performs a storing operation during a broadcast; obtaining time information indicating when the user storing operation occurred during the broadcast from the communicated count value at the external unit; searching a database including information indicating broadcast contents and an associated time of broadcasting using at least the obtained time information; and providing search results to the user, which are not taught or suggested by the prior art of records. The closest prior art, Deguchi (U.S. Patent No. 6,578,047) disclosing searching broadcasted contents based on time information stored in a portable device, fails to suggest the claimed limitations as mentioned above in combination with other claimed elements. The above features in conjunction with all other limitations of the dependent and independent claims 45-86 and 94-105 are hereby allowed.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2166

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



--	--

Joon Hwang  
Patent Examiner  
Technology Center 2100

11/9/06